

wherein the weak acid is at least one acid chosen from the group consisting of: lactate; pyruvate; citrate; isocitrate; cis-aconitase;  $\alpha$ -ketoglutarate; succinate; fumarate; malate; and oxaloacetate, the solution having a carbon dioxide partial pressure that is less than 60 mmHg.

Please amend Claim 10 as follows:

10. A peritoneal dialysis solution comprising:

Dextrose (hydrous) (g/dl)	1.5-4.2
Sodium (mEq/L)	100-140
Chloride (mEq/L)	70-110
Calcium (mEq/L)	0.0-4.0
Magnesium (mEq/L)	0.0-4.0
Bicarbonate (mEq/L)	20.0-30.0
Weak acid (mEq/L)	10.0-20

wherein the weak acid is at least one acid chosen from the group consisting of: lactate; pyruvate; citrate; isocitrate; cis-aconitase;  $\alpha$ -ketoglutarate; succinate; fumarate; malate; and oxaloacetate, and

the solution has a carbon dioxide partial pressure that is substantially similar to the carbon dioxide partial pressure of a normal subject's blood and the solution has a pH of approximately 7.0 to about 7.4.

Please amend Claim 11 as follows:

11. A method for correcting metabolic acidosis in a dialysis patient suffering or likely to suffer from same comprising the step of:

administering to a patient a peritoneal dialysis solution that has a bicarbonate level and carbon dioxide partial pressure that are substantially similar to that found in the patient's blood wherein the solution comprises:

Dextrose (hydrous) (g/dl)	1.5-4
Sodium (mEq/L)	100-140
Chloride (mEq/L)	70-110
Calcium (mEq/L)	0.0-4
Magnesium (mEq/L)	0.0-4
Bicarbonate (mEq/L)	20.0-30.0
Weak acid (mEq/L)	10.0-2

### REMARKS

This Amendment is submitted in response to the Office Action mailed on January 30, 2002. The Office Action rejects Claims 1-16 under 35 U.S.C. § 103. In addition, Claims 6, 10 and 11 are objected to because of certain informalities. In response, Claims 6, 10 and 11 have been amended to overcome the informality rejection. With respect to the prior art rejections, Applicants respectfully submit the rejections are improper for the reasons set forth below and in view of the Affidavit being submitted herewith.

Prior to addressing the prior art rejections, Applicants note that the instant patent application and, specifically Claims 1-16, have been provisionally rejected in view of co-pending patent application 08/421,020. Applicants submit that this rejection is now moot in view of the fact that Applicants have expressly abandoned that application. This abandonment was made without prejudice or disclaimer in view of this continuation patent application.

Applicants also note that the Patent Office states that it has considered the Information Disclosure Statement dated September 17, 2001 but has not considered certain references because they were not provided. Applicants respectfully submit this is not true. Applicants note that on or before January 8, 2002, the Patent Office requested from Applicants copies of certain foreign references and publications. Although these references were made of record in the parent application and therefore Applicants were under no obligation to provide a copy of same, the Examiner stated that she could not access the parent file and requested a courtesy copy of these documents. These references were sent to the Patent Office on January 8, 2002.